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IN THE SUPREME COURT OF THE STATE OF UTAH

THE STATE OF UTAH,)

Plaintiff & Respondent,)

-vs-)

Case No. 11320

DONALD JOE THORNTON,)

Defendant & Appellant.)

DEFENDANT AND APPELLANT'S PETITION FOR
REHEARING AND SUPPORTING BRIEF

APPEAL FROM A CONVICTION OF RAPE ENTERED IN THE
DISTRICT COURT, SECOND JUDICIAL DISTRICT,
HONORABLE CHARLES G. COWLEY, PRESIDING

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Respondent.

FILED

FEB 7 - 1962

Clark, Supreme Court, Utah

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IN THE SUPREME COURT OF THE STATE OF UTAH

THE STATE OF UTAH,)	
)	
Plaintiff & Respondent,)	
)	
-vs-)	Case No. 11320
)	
DONALD JOE THORNTON,)	
)	
Defendant & Appellant.)	

DEFENDANT AND APPELLANT'S PETITION FOR
REHEARING AND SUPPORTING BRIEF

Appeal from a conviction of rape entered in the
District Court, Second Judicial District,
Honorable Charles G. Cowley, presiding.

DEFENDANT AND APPELLANT'S PETITION FOR REHEARING

The petition of the defendant, Donald Joe
Thornton, respectfully shows:

1. The above entitled Court filed its
opinion herein in favor of the State of Utah and
against Defendant Thornton on January 22, 1969.
2. This petition is timely and filed in
accordance with the appropriate rules and statutes.
3. It is respectfully alleged that the

Court, by its opinion and decision aforesaid, erred in affirming the conviction and in upholding the trial court's ruling that Defendant Thornton's statements and confession were admissible and that he voluntarily, knowingly and intelligently waived his constitutional protections as set forth in Miranda v. Arizona 384 U.S. 436, 16 L Ed 2d, 694, 86 S Ct. 1602 (1966).

WHEREFORE, defendant respectfully prays this matter be reheard by this Honorable Court and that said error be corrected, that judgment and conviction of the trial court be reversed and that the defendant be retried or discharged from custody.

Respectfully submitted,

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